



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Quality

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Arnold Schwarzenegger
Governor

January 5, 2009

Mr. Thomas Smith
Hirt Combustion Engineers, Inc.
P.O. Box 6816
Pico Rivera, CA 90661

Dear Mr. Smith:

EVALUATION OF THE HIRT VCS 100 VAPOR PROCESSOR FOR USE WITH BALANCE EVR SYSTEMS

Assembly Bill 2955 (Statutes 2004, Chapter 649) added section 25290.1.2(a) to Chapter 6.7 of the Health and Safety Code (H&SC). This section requires the Air Resources Board (ARB) and State Water Resources Control Board (State Water Board) to certify, to the best of their knowledge and using existing resources, that equipment meeting the ARB's Enhanced Vapor Recovery (EVR) requirements also meets underground storage tank (UST) statutory requirements.

We have received an information package regarding the Hirt VCS 100 vapor processor which will be used in conjunction with ARB approved VST Balance EVR systems and the new Emco-Wheaton EVR system (undergoing approval). The vapor processor's purpose is to remove excess gasoline vapor from the UST, burn and convert the vapor into carbon dioxide and water vapor, and expel them from the system to the atmosphere. The vapor processor allows the balance system to stay within the ARB EVR pressure criteria. An indicator panel allows for observance of processor status.

The design, construction, installation, and operation of the Hirt VCS 100 Vapor Processor used in conjunction with balance EVR systems (noted above) has been reviewed by a California Registered Professional Engineer, as indicated in the enclosed signed statement. Based on this signed statement and the information that you provided, we have found no evidence that the vapor processor conflicts with H&SC Chapter 6.7.

UST owners who intend to install this system in California should be aware that:

- For UST systems installed prior to July 1, 2003, tank vent lines are excluded from the statutory definition of "underground storage tank" if they are designed to

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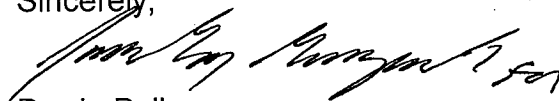
prevent, and do not hold, standing fluid ¹. Based on the information provided, the Hirt VCS 100 Vapor Processor does not increase the likelihood of liquid-phase product accumulating in the underground tank vent lines. Because the information indicates that the Hirt VCS 100 Vapor Processor does not increase the likelihood of liquid-phase product, vent lines that are currently excluded from the definition of "underground storage tank" may continue to be excluded once the VST Balance EVR systems and the new Emco-Wheaton EVR system using the Hirt VCS 100 Vapor Processor has been installed.

- California regulations² specify that any installation, repair, maintenance, or programming of monitoring equipment must be done by a qualified service technician meeting the requirements of California Code of Regulations, Title 23, section 2715(i). Installation of the Hirt VCS 100 may involve connecting the indicator box to an ISD system. Where the ISD is connected to a monitoring system used to satisfy monitoring requirements for the UST system, all work must be performed by a qualified service technician meeting the requirements of section 2715(i).
- Permitting and inspection requirements vary among the local regulatory agencies implementing the State Water Board's UST program in jurisdictions throughout California. Depending on the location of the UST, the local agency may require the UST owner/operator to obtain a permit prior to installation of the Vapor Processor and EVR system and/or to conduct functional testing of the monitoring system after these systems have been installed.

Pursuant to H&SC section 25290.1.2(a) the State Water Board certifies that, to the best of its knowledge, the Hirt VCS 100 Vapor Processor used in conjunction with Balance EVR system meets the requirements of H&SC Chapter 6.7. This determination assumes the EVR systems are installed in accordance with applicable ARB Executive Orders, manufacturer's instructions, and the limitations outlined in this letter.

If you have questions regarding this letter, please contact Ms. Laura Chaddock at (916)341-5870, or by email at lcaddock@waterboards.ca.gov.

Sincerely,



Darrin Polhemus,
Deputy Director
Division of Water Quality

¹ California Health and Safety Code, Chapter 6.7, section 25281.5(a)(4)

² California Code of Regulations, Title 23, sections 2611 and 2638

Enclosure

cc: Mr. George Lew, Chief
ARB Engineering and Certification Branch
1927 13th Street
Sacramento, CA 95812

Engineering Statement

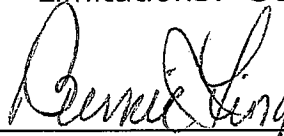
Section 1

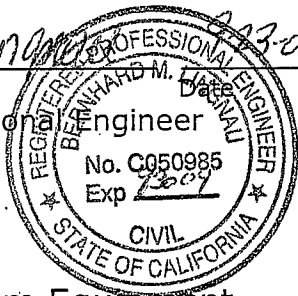
Certification Statement for Hirt VCS 100 Vapor Processing System¹

Based on a careful review and analysis, I hereby certify that the Hirt VCS Vapor Processing System, which is under consideration for California Air Resources Board (ARB) certification, meets the requirements of Chapter 6.7 of the California Health and Safety Code (the State Water Resources Control Board's underground storage tank requirements, including enhanced leak detection and continuous vacuum, pressure, or hydrostatic monitoring.)².

The Hirt VCS Vapor Processing System warranty is valid as long as the system is installed, operated, and maintained according to manufacturer's instructions and in a manner that does not exceed the limitations described.

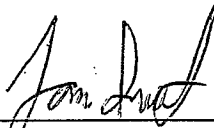
Limitations: See the attached Appendix B


Signature
California Professional Engineer
C 50985



Bernie Lingnau
Pacific Petroleum Equipment
5465 Gaines St., #102
San Diego, California 92110

Phone: 619-688-5848
E-Mail: info@pacificpetro.com


Signature
Company Representative

9/29/08
Date

Thomas J. Smith
Hirt Combustion Engineers Inc.
3659 San Gabriel River Parkway
Pico Rivera, California 90660

Phone: 562-692-1490

¹ This certificate statement is part of the guidelines developed by the California Air Resources Board (ARB) and State Water Resources Control Board (State Water Board) to implement provisions of Assembly Bill 2955 (Statutes 2004, Chapter 649: McCarthy).

² This certification is based on the presumption that the Hirt VCS 100 Vapor Processing System is constructed, installed, maintained, and operated in accordance with all applicable requirements of Chapter 6.7 of California Health and Safety Code, and Chapter 16 of California Code of Regulations.